

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRIDGEWATER TO CREATE THE RMDU-26 MULTIFAMILY RESIDENTIAL ZONE AT THE SITE OF THE HYATT HOUSE, BLOCK 400, LOT 7 LOCATED AT 530 ROUTE 22.

WHEREAS, the Township of Bridgewater endeavors to incentivize the production of affordable housing with minimal impact to the Township; and

WHEREAS, an opportunity has arisen to incentivize the production of affordable housing on Block 400, Lot 7, by converting the existing Hyatt House to apartments with a 31.25% affordable housing set-aside;

WHEREAS, the Township Council believes it is in the best interest of the Township to create the RMDU-26 encompassing Zone to incentivize the production of affordable housing; and

WHEREAS, the Township Council wishes to create the RMDU-26 Multifamily Residential Zone pursuant to the terms of this ordinance;

NOW, BE IT THEREFORE ORDAINED, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey as follows:

Section I

The Code of the Township of Bridgewater shall be amended and supplemented by rezoning Block 400, Lot 7 into the newly created RMDU-26 Multifamily Residential Zone herein as follows:

126-309.3.1 RMDU-26, Multifamily Residential Zone

This zone is created in response to a determination that *inclusionary affordable housing* for Block 400 Lot 7 is in the best interest of the Township. The intention is to develop the lands in Block 400 Lot 7 in accordance with this RMDU-26, Multifamily Residential Zone as a single development entity, including all lands and buildings for the purpose of non-age restricted multifamily housing, with a multifamily rental affordable dwelling. All affordable units must be rental units, and the development is not subject to spot zoning issues. Block 400 Lot 7 abuts an office complex to the west, a cemetery to the south, a building of house of worship community services to the east and a 4-lane divided highway with grassed median to the north.

A. Permitted principal uses in the RMDU-26, Multifamily Residential Zone:

(1) Multifamily dwellings, with a rental affordable housing component.

(2) Rental multifamily affordable housing. In no event shall affordable units be other than rental units.

B. Permitted accessory uses: Users and structures customarily incidental to the principal use, including:

(1) Community rooms and buildings.

(2) Rental office and gatehouse.

(3) Signs. (See 126-336, 126-162 and 126-195)

(4) Recreational equipment, swimming pool, bathhouse and pool equipment building.

(5) Street furniture, bike racks, benches.

(6) Storage buildings for equipment with a total maximum of 900 square feet.

(7) School bus and jitney pads and shelters.

(8) Park areas for the multifamily community.

C. Requirements for development:

(1) Minimum lot area: 5 acres.

(2) Minimum yard setbacks.

(a) From public streets: 100 feet.

(b) Minimum side yard for principal and accessory building setbacks: 50 feet from all perimeter tract boundaries.

(c) Minimum rear yard for principal and accessory building setbacks: 100 feet.

(d) Minimum distance between buildings: 14 feet

(e) Minimum parking setbacks:

1. Side yard: 6 feet
2. Front Yard: 25 feet
3. Rear Yard: 75 feet

(f) Banked parking may be provided on abutting property, if needed.

(3) Maximum percent of impervious lot coverage: 65%

(4) Minimum lot width: 250 feet

(5) Maximum building stories and maximum building height: three stories and 45 feet. There may be no more than two dwelling units in a vertical plane of the building.

(6) Maximum floor area ratio (FAR): 0.45

(7) Maximum density: The maximum density for the tract is 26 dwelling units per acre, except that a maximum of 128 residential units shall be permitted.

(8) The buildings must be served by public water and public sewer.

(9) Maximum building length: 140 feet

(10) There shall be 40 rental affordable units in the inclusionary community, which are to be constructed in accordance with Council on Affordable Housing (COAH) regulations and Uniform Housing and Affordability Controls (UHAC) standards and guidelines, including, but not limited to, the requirements regarding unit size, a bedroom mix of eight efficiency/1-bedroom, twenty-four 2-bedroom and eight 3-bedroom units and income requirements for low, very low, and moderate income households (Current requirements for Moderate income: eight units; Low income: six units; Very low income: three units.)

(11) In addition to the 40 affordable units, there shall be up to 88 market units.

(12) Exclusive of the required buffer/building setback area, specifically designated green space and recreational space shall be provided. These areas shall be landscaped.

(13) The buffer/building setback area along Route 22 will be landscaped with an evergreen screen, planted in a double staggered rows in accordance with 126-191.D.

(14) Minimum street rights-of-way and off-street parking: street design, resident and guest parking shall meet RSIS standards or, per 126-169.B(3), shall offer data from the Institute of Transportation Engineers to confirm that a lower number of parking spaces is reasonable and is to be satisfactory to the Township Engineer.

(15) In order to ensure the development will result in an aesthetically harmonious architectural design, the buildings shall demonstrate a common theme and compatible architectural features with respect to design, textures, facade modulation and roof scape.

D. Design requirements.

(1) Indoor and outdoor recreation and community facilities shall be located so as to be accessible by handicapped residents and guests of residents.

(2) The main entry of each dwelling must be roofed for protection against inclement weather.

(3) All landscaping shall be in accordance with landscaping requirements of the Township Land Use Ordinance, Chapter 126.

(4) The Planning Board may require the developer to construct jitney or bus stop pads at areas that are deemed to be appropriate by the Board.

(5) Unless otherwise permitted, trash enclosures, with source separation will be provided and will be landscaped. If trash enclosures are not provided, in no event is trash to be left outside so as to become a nuisance. Brochures for recycling should be presented to the tenants upon occupancy.

(6) Pedestrian sidewalks should be provided to access the community building, recreation space, green space areas, bus stops and any other areas where the Planning Board believes that pedestrian access is likely or convenient.

E. Other Requirements.

(1) Except as otherwise provided herein, all provisions of the Land Use Ordinance, Chapter 126, shall apply.

(2) If the developer has a future difficulty in renting the market units, the developer may provide factual basis for the request to seek approval from the Township Council to sell the market units rather than rent them. Any decision given by the Township Council shall be at its sole discretion and shall be subject to all other applicable laws.

(3) A Developer's Agreement shall be provided and executed which is acceptable to the Township Attorney as to both form and substance.

(4) Rental affordable housing shall be provided as set forth in Subsection (C10 and C11), which includes, but is not limited to, unit size, bedroom mix and income requirements.

(5) A Minor Site Plan shall be required.

(6) The site shall only be developed in conformance with the Affordable Housing Agreement entered into between the developer and the Township of Bridgewater.

Section II

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: September 19, 2022
Effective: October 11, 2022